



**To: Louisiana Nursing Home Administrators**  
**From: Office of the State Long-Term Care Ombudsman**  
**Re: Discharge and Transfer Notices**  
**Date: July 23, 2018-Effective Immediately**

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This memorandum is intended to clarify the Discharge and Transfer notification process and to provide instruction on how the Louisiana State Long-Term Care Ombudsman Office (State Office) is to receive notices. This memorandum supersedes all prior or simultaneous discussions and memorandums relating to this subject matter, whether written or oral.

A resident-initiated (voluntary) discharge or transfer means the resident or, if appropriate, the resident representative, has provided verbal or written notice of intent to leave the facility. The medical record must contain documentation or evidence of the resident's or resident representative's verbal or written notice of intent to leave the facility. A resident's expression of a general desire or goal to return home or to the community or elopement of a resident who is cognitively impaired should not be taken as notice of intent to leave the facility. For resident-initiated discharges and transfers, sending a copy of the notice to the State Office is **not** required, per CMS Memo S&C: 17-27-NH<sup>1</sup>.

As stated in 42 CFR 483.15(c)(3)(i):

- (3) Notice before transfer. Before a facility transfers or discharges a resident, the facility must—*  
*(i) Notify the resident and the resident's representative(s) of the transfer or discharge and the reasons for the move in writing and in a language and manner they understand. The facility must send a copy of the notice to a representative of the Office of the State Long-Term Care Ombudsman.*

These regulations refer to the "Representative of the Office of the State Long-Term Care Ombudsman." For purposes of this notice, please e-mail all required notices to the State Office. A secure e-mail address has been created for this purpose: [StateOmbudsman@goea.la.gov](mailto:StateOmbudsman@goea.la.gov). Local Ombudsman will no longer receive any documentation from facilities, unless requested.

A facility-initiated (involuntary) discharge or transfer means the nursing facility has decided the resident can no longer be served by the nursing facility and is not expected to return to the facility. There are only six enumerated reasons listed in 42 CFR 483.15(c)(1) for an involuntary discharge. These 30-day involuntary discharge notices should be e-mailed the **same day** they are issued to the resident, per 42 CFR 483.15(c)(4). Please e-mail involuntary discharge notices to with the subject line: Facility name - Involuntary Discharge (Ex: Sunny Meadows Nursing Home - Involuntary Discharge).

For emergency transfers, sending a copy of the notice to the State Office the same day it is issued to the resident is **not** required; however, notification is required and recommended to be sent via a monthly list, per CMS Memo S&C: 17-27-NH. An Emergency Transfer Log has been created for this exact purpose. These logs should be e-mailed by the 15<sup>th</sup> of each month for the preceding month. Please e-mail emergency transfer logs with the subject line: Facility name - Emergency Transfer Log for month/year. (Ex: Sunny Meadows Nursing Home - Emergency Transfer Log for July 2018). In situations where the facility decides to discharge while the resident is hospitalized, the facility must follow facility-initiated involuntary discharge practices as stated above.

Sending copies of these notices to the State Office provides added protection to residents and ensures the Office of the State Long-Term Care Ombudsman is aware of facility practices and activities related to transfers and discharges. Thank you for your cooperation.

**Rosa Walton**  
**State Long-Term Care Ombudsman**

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<sup>1</sup> Review S&C 17-27-NH and the State Operations Manual for additional clarification regarding these requirements.